

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

JUDITH RÉ,	)	
	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No. 04-11385-RGS
	)	
JODI R.R. SMITH, AND	)	
BARNES & NOBLE, INC.,	)	
	)	
Defendants.	)	
	)	

**DEFENDANTS’ MOTION TO ADMIT ERIK W. KAHN *PRO HAC VICE***

Defendants Barnes & Noble, Inc., and Jodi R.R. Smith (collectively, “Defendants”), by their undersigned counsel of record, hereby moves pursuant to Local Rule 85.5.3 of the Local Rules of the United States District Court for the District of Massachusetts that Erik W. Kahn, Esq., attorney with the law firm of Bryan Cave LLP, be admitted to appear *pro hac vice* and practice in this Court in this case on behalf of Defendants.

Mr. Kahn is a member in good standing of the bar of the State of New York, as well as the bars of the U.S. District Court for the Southern District of New York, the U.S. District Court for the Eastern District of New York, the United States Court of Appeals for the Second Circuit, the United States Court of Appeals for the Ninth Circuit, and the Supreme Court of the United States. There are no disciplinary proceedings pending against Mr. Kahn in any jurisdiction, and Mr. Kahn is familiar with the Local Rules of this Court.

The affidavit of Mr. Kahn attesting to the foregoing is submitted herewith.

DEFENDANTS JODI R.R. SMITH and

BARNES & NOBLE, INC,

By their attorneys,

Dated: July 8, 2004

s/Richard S. Sanders  
Richard S. Sanders (BBO# 562014)  
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